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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,988	02/20/2004	Vishal Kathuria	MSFT-2732/305554.01	7139
41505	7590	01/15/2009	EXAMINER	
WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION)			SYED, FARHAN M	
CIRA CENTRE, 12TH FLOOR			ART UNIT	PAPER NUMBER
2929 ARCH STREET			2165	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/782,988	KATHURIA ET AL.	
	Examiner	Art Unit	
	FARHAN M. SYED	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 October 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 and 23-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-21 and 23-28 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. Claims 1-21 and 23-28 are pending.

Response to Remarks/Argument

2. Applicant's arguments filed 09 October 2008 have been fully considered but they are not persuasive for the reasons set forth below.

Applicant argues:

- (1) The cited reference does not teach marking the change data page to indicate that the transaction log buffer has yet to be flushed to a persistent data store.

The Examiner disagrees. Mohan teaches marking the change data page to indicate that the transaction log buffer has yet to be flushed to a persistent data store (i.e. "*Whenever a page is updated and a log record written, the LSN of the log record is placed in the page_LSN field of the updated page. This tagging of the page with the LSN allows ARIES to precisely track, for restart and media-recovery purposes, the state of the page with respect to logged updates for that page... Periodically during normal processing, ARIES takes checkpoints. The checkpoint log records identify the transactions that are active, their states, and the LSNs of the most recently written log records, and also the modified data that is in the buffer pool*" The Examiner interprets the LSN field as marking the change data page to indicate the transaction log buffer (i.e. log record) has yet to be flushed to a persistent data store (The Examiner believes that it is inherent that when log records are written that they are written to a persistent data store.).)(see at least Sections 3, 5, 6, and 8; specifically page 17).

(2) The cited reference does not teach isolating the transaction by flushing the transaction log buffer to the persistent data store prior to the changed data page being read by a read operation separate from generating the changed data page.

The Examiner disagrees. Mohan teaches isolating the transaction by flushing the transaction log buffer to the persistent data store prior to the changed data page being read by a read operation separate from generating the changed data page (i.e.

“...ARIES(Algorithm for Recovery and Isolation Exploiting Semantics), which supports partial rollbacks of transactions, fine-granularity (e.g. record) locking and recovery using write-ahead logging (WAL)... Periodically during normal processing, ARIES takes checkpoints. The checkpoint log records identify the transactions that are active, their states, and the LSNs of the most recently written log records, and also the modified data that is in the buffer pool. The later information is needed to determine from where the redo pass of restart recovery should begin its processing.” Figure 5 appears to illustrate the aforementioned limitation.) (Abstract; see also sections 3, 5, 6, 7, 10; specifically, see pages 17, 18, and 20).

Hence, the Applicant’s arguments do not distinguish over the claimed invention over the prior art of record.

Claim Rejections - 35 USC § 101

3. The Examiner notes that the method claims 1-10 appear to fail the In Re Bilski case in that the method claims do not appear to positively recite a tangible device or article of manufacture to indicate that a tangible result would occur.

4. The Examiner notes that the computer-readable medium claims 11-20 does not include a transmission medium as part of the description of a computer-readable medium and is directed to mediums such as ROM and RAM, as per Applicant's specification, see paragraph [0015], page 5, which falls under a statutory class of producing a tangible result.

5. The Examiner notes that the data page reading system claims 21 and 23-27 appear to be software per se and seeks out further clarification as to what the system embodies as the specification is unclear as to whether a tangible device is associated with the system.

6. The Examiner would like for the Applicant to positively address these notations in the subsequent response to this Office Action and consider explicit amendment to the body of the claim to include such notations.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-21 and 23-28 are rejected under 35 U.S.C. 102(b) as being anticipated by a non-patent literature titled "ARIES: A Transaction Recovery Method Supporting Fine-Granularity Locking and Partial Rollbacks Using Write-Ahead Logging." by C.

Mohan et al., ACM Transactions on Database Systems, vol. 17, no. 1, March 1992, pages 94-162 (known hereinafter as Mohan).

As per claims 1, 11, and 21, Mohan teaches a method for reading a changed data page, said method comprising of: generating the changed data page in response to a change to the data page as a result of a transaction (i.e. "*ARIES also logs, using compensation log records (CLRs)...CLRs have the property that they are redo-only log records.*") (Sections 3, 5, and 6); storing data associated with the change in a transaction log buffer (i.e. "*ARIES keeps track of changes made to the database by using a log and it does write-ahead logging (WAL).*") (Section 3; see also Sections 4 and 5); marking the changed data page to indicate that the transaction log buffer has yet to be flushed to a persistent data store (i.e. "*Whenever a page is updated and a log record written, the LSN of the log record is placed in the page_LSN field of the updated page. This tagging of the page with the LSN allows ARIES to precisely track, for restart and media-recovery purposes, the state of the page with respect to logged updates for that page*") (see at least Sections 3, 5, 6, and 8); determining whether the changed data page is marked (see at least Sections 3, 5, 6, and 8); and isolating the transaction by flushing the transaction log buffer to the persistent data store prior to the changed data page being read by a read operation separate from generating the changed data page (i.e. "*...ARIES(Algorithm for Recovery and Isolation Exploiting Semantics), which supports partial rollbacks of transactions, fine-granularity (e.g. record) locking and recovery using write-ahead logging (WAL)*") (Abstract; see also sections 3, 5, 6, 7, 10).

As per claims 2 and 12, Lomet teaches a method further comprising: unmarking the changed data page when the transaction log buffer is flushed (Abstract; see also sections 2, 3, 5, 6, 7).

As per claims 3, 13, and 23, Lomet teaches a method wherein flushing the transaction log buffer occurs when the changed data page is marked (Abstract; see also sections 2, 3, 5, 6, 7).

As per claims 4, 14, and 24 Lomet teaches a method wherein marking the changed data page comprises writing a value of a bit associated with said changed data page (Abstract; see also sections 3, 5, 6, 7, 10)

As per claims 5, 15, and 25, Lomet teaches a method wherein the bit is stored in said changed data page (Abstract; see also sections 3, 5, 6, 7)

As per claims 6, 16, and 26, Lomet teaches a method wherein the bit is stored in a reference table (Abstract; see also sections 3, 5, 6, 7, 10)

As per claims 7, 17, and 27, Lomet teaches a method wherein marking the changed data page comprises recording, in a reference location associated with said changed data page (Abstract; see also sections 3, 5, 6, 7), a copy of a log sequence number from said transaction log buffer and corresponding to the change to the data page (Abstract; see also sections 2, 3, 5, 6, 7).

As per claims 8 and 18, Lomet teaches a method wherein said copy of the log sequence number is stored in said changed data page (Abstract; see also sections 3, 5, 6, 7, 10).

As per claims 9 and 19, Lomet teaches a method wherein said copy of the log sequence number is stored in a reference table (Abstract; see also sections 3, 5, 6, 7, 10)

As per claims 10, 20, and 28, Lomet teaches a method wherein the copy of the log sequence number is used to identify a transaction in order to cause said transaction to effect the flushing of the transaction log buffer (Abstract; see also sections 3, 5, 6, 7, 10).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhan M. Syed whose telephone number is 571-272-7191. The examiner can normally be reached on 8:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/F. M. S./
Examiner, Art Unit 2165

/Neveen Abel-Jalil/
Primary Examiner, Art Unit 2165